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10/613,477	07/02/2003	Robert W. Boesel	029573-0501	9531

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EXAMINER	
MALEK, LEILA	
ART UNIT	PAPER NUMBER
2611	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 10/27/2008, regarding claims 1 and 11 have been fully considered but they are not persuasive.

Applicant's Argument: Applicant argues, on page 3, lines 1-7, that since the portion of Guinon cited by the Examiner is from the background of invention, Guinon teaches away from the combination cited in claim 1.

Examiner's Response: Examiner respectfully disagrees. Examiner asserts that although Guinon discloses a different method to decrease the signal acquisition time in the invention's disclosure, the method described in the background of invention is still valid for decreasing signal acquisition time in fixed weighting systems. Therefore, Guinon does not teach away from the combination cited in claim 1.

Applicant's Argument: Applicant argues that the Guinon in the background of invention describes a detection and tracking system which permits rapid acquisition but does not involve adaptive tracking or combined adaptive acquisition and adaptive tracking since it relies solely on statistical methods of computing error. Applicant further states that "In short no sampling is used to automatically adjust weight" and thus Guinon fails to teach or suggest the features of the present invention.

Examiner's Response: In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., adaptive tracking or combined adaptive acquisition and adaptive tracking) are not recited in the rejected claim(s). Although the claims are interpreted in

light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's Argument: Applicant argues, on page 5, lines 1-8, that Guinon fails to disclose a rotation and combination of all combinations of a plurality of samples groups.

Examiner's Response: Guinon teaches that in order to find the properly aligned PN sequence, correlations must be performed for all possible phase shifts of the PN code (Col. 2, lines 25-45). Therefore outputs of multiplies 42-48 in Fig. 2 are the rotated versions of all combinations of a plurality of samples. Guinon further shows combining (see adder 56) these results together, this would result a rotation and combination of all combinations of a plurality of samples.

2. Applicant's arguments, see page 5, lines 21-28, with respect to rejection of claim 13 have been fully considered and are persuasive. The prior art rejection of claims 13-15 has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEILA MALEK whose telephone number is (571)272-8731. The examiner can normally be reached on 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leila Malek
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